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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRWP-8934-2024

Date of Decision:- 13.09.2024

Shakti Kumar and Another

....Petitioners

Vs.

State of Punjab and Others

...Respondents

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Gautam Diwan, Advocate
for the petitioners.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J. (Oral)

1. Petitioners Shakti Kumar and Sukhwinder Kaur have filed present petition under Article 226 of the Constitution of India for issuance of writ in the nature of Mandamus, directing respondents No. 1 to 3 to protect life and liberty of petitioners from the hands of private respondents No. 4 and 5.

2. It is submitted that both petitioners are major. As per Aadhaar Card (Annexure P-1) and affidavit (Annexure P-2) of petitioner No.1, his year of birth is 1991. On the other hand, as per Matriculation Certificate (Annexure P-3) and Aadhaar Card (Annexure P-4) of petitioner No. 2, her date of birth is 16.09.1997. They had performed marriage on 10.09.2024 as per Hindu Rites and Rituals at Shree Aadi Shakti Ved Pathshala, Panchkula and photographs in this regard are Annexure P-5. Petitioners also moved representation to Senior Superintendent of Police, District Pathankot, which is Annexure P-6. Petitioners had performed marriage without consent and wishes of family members of petitioner No. 2 and as such they are receiving threats from respondents No. 4 and 5.

3. Notice of motion.

4. On asking of this Court, Mr. Kewal Singh, Addl. A.G. Punjab accepts notice on behalf of State. Complete copy of paperbook along with supporting documents is already supplied.

5. Considering nature of litigation, no purpose would be served by serving notice to private respondents.

6. I have considered the facts narrated in petition, according to which both petitioners are major and they have performed marriage against wishes of family members of petitioner No. 2, as a result they are apprehending threats from the hands of respondents No. 4 and 5. It is duty of police to protect life and liberty of petitioners. Therefore, respondents No. 2 and 3 are directed to consider representation of petitioners dated 10.09.2024 (Annexure P-6) and protect life and liberty of petitioners from the hands of respondents No. 4 and 5, considering threat perception, with further direction to maintain their privacy and dignity.

7. Aforesaid protection order will have no bearing on legality and validity of marriage and it will not protect them in case there is any violation of law or pending legal proceedings.

8. Petition is accordingly disposed of.

9. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

(AMARJOT BHATTI)
JUDGE

13.09.2024
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Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No